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LOWE HAUPTMAN GILMAN & BERNER, LLP

Fax Cover Sheet

To:	Examiner Cynthia Kratz	From:	William E. Beaumont
Of:	USPTO, PCT Legal Office	Date:	January 13, 2003
Fax:	703-308-6459	Pages:	9 (including cover sheet)
Re:	Supplemental Response U.S. Patent Application Serial No. 09/424,247 Filed: November 30, 1999 Inventors: VANDERBIST et al. Title: DRY POWDER INHALER EXCIPIENT, PROCESS FOR ITS PREPARATION AND PHARMACEUTICAL COMPOSITIONS CONTAINING IT Atty. Docket No.: 4619-009		

COMMENTS: Further to our telephone discussion earlier today, transmitted herewith is a Supplemental Response and copies of the papers filed October 30, 2002. Please call to confirm receipt. Thanks.


Bill Beaumont
703-535-7074

13 JAN 2003

Patent Division

Original will be sent to you:

NO

XX

YES (mail)

IMPORTANT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

VANDEBIST et al.

Examiner: Cynthia Kratz

Application No. 09/424,247

ATTN: PCT Legal Office

Filed: November 30, 1999

Attorney Docket No. 4619-009

For: DRY POWDER INHALER EXCIPIENT, PROCESS FOR ITS PREPARATION
AND PHARMACEUTICAL COMPOSITIONS CONTAINING IT

RESPONSE TO DECISION ON RENEWED PETITION UNDER 37 C.F.R. §1.47(a)

Commissioner for Patents

BOX PCT

Washington, D.C. 20231

Date: October 30, 2002

Sir:

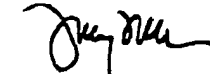
Responsive to the Decision on Renewed Petition Under 37 C.F.R. §1.47(a), and in accordance with the discussion recently conducted with Examiners Milef and Kratz, for which Applicants' representative is grateful, attached herewith is a Declaration executed by co-inventor Paul Maes. Also attached is a Revocation of Power of Attorney and Appointment of New Agent executed by Francis Vanderbist and Phillippe Baudier.

Accordingly, it is urged that this application is now in condition for further proceedings in the national stage. Early notice to this effect is earnestly solicited.

A Petition for Extension of Time for three (3) months is attached hereto. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 07-1337, referencing Attorney Docket No. 4619-009.

Respectfully submitted,

LOWE HAUPTMAN GILMAN & BERNER, LLP



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Enclosures: Declaration
Petition for Extension of Time
Revocation of Power of Attorney and Appointment of New Agent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

VANDERBIST et al.

Examiner: Cynthia Kratz

Application No. 09/424,247

ATTN: PCT Legal Office

Filed: November 30, 1999

Attorney Docket No. 4619-009

For: DRY POWDER INHALER EXCIPIENT, PROCESS FOR ITS PREPARATION
AND PHARMACEUTICAL COMPOSITIONS CONTAINING IT

SUPPLEMENTAL RESPONSE

Commissioner for Patents
BOX PCT
Washington, D.C. 20231

Date: January 13, 2003

Sir:

Applicants gratefully acknowledge the indication by Examiner Kratz that the "Response to Decision on Renewed Petition Under 37 C.F.R. §1.47(a)" filed on October 30, 2002, has not yet been matched with the official file for this application.

Accordingly, attached herewith is a true and accurate copy, including a copy of the date-stamped post card, of the response filed in the USPTO on October 30, 2002.

It is urged that the response filed on October 30, 2002, is fully responsive to the "Decision on Renewed Petition Under 37 C.F.R. §1.47(a)" and that this application is now in condition for acceptance and further national stage processing. Favorable consideration is earnestly solicited.

The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 07-1337, referencing Attorney Docket No. 4619-009.

Respectfully submitted,

LOWE HAUPTMAN GILMAN & BERNER, LLP


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Enclosures: Copy of Date-Stamped Post Card
Copy of Response
Copy of Declaration
Copy of Petition for Extension of Time
Copy of Revocation of Power of Attorney and Appointment of New Agent

LOWE AUPTMAN GILMAN & BERNER, LLP

PATENT

Docket No. 4619-009 Serial No. 09/424,247 Patent No. _____Date Filed/Issued: Nov. 30, 1999 Applicant(s) VANDERBILT et al.

The Stamp of the U.S. Patent & Trademark Office acknowledges receipt of the following:

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| <input checked="" type="checkbox"/> Declaration, Subst/Supp _____ | No Fee | <input type="checkbox"/> Reply Brief (in Triplicate) | No Fee |
| <input type="checkbox"/> Drawing Revision, Req. _____ | No Fee | <input type="checkbox"/> Restriction/Election Response | No Fee |
| <input checked="" type="checkbox"/> Extension of Time, Petition _____ | \$ <u>920.00</u> | <input checked="" type="checkbox"/> Revoke Pwr Atty/New Appt. | No Fee |
| <input type="checkbox"/> Filing Rcpt, Req for Corr _____ | \$ _____ | <input type="checkbox"/> Status Inquiry | No Fee |
| <input type="checkbox"/> Formal Dwg (# of Shs) _____ | No Fee | <input type="checkbox"/> Terminal Disclaimer | \$ _____ |
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 | | | |
| <input type="checkbox"/> CPA, Req. for (1.53(d) of S.N. _____ | filed _____ | | |
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| <input checked="" type="checkbox"/> Other <u>Response to Decision on Renewed Petition (37 CFR 1.471)</u> | Chrg to Dep. Acct. No. _____ | | |
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Filed by: WEB/Kga Date: 10-30-02

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